



**DEPARTMENT OF ENERGY**  
**Federal Energy Regulatory Commission**

**[Docket No. DI22-1-000]**

**Donald Higgins; Notice of Declaration of Intention and Soliciting Comments, Protests, And Motions to Intervene**

Take notice that the following application has been filed with the Commission and is available for public inspection:

- a. Application Type: Declaration of Intention
- b. Docket No: DI22-1-000
- c. Date Filed: November 1, 2021
- d. Applicant: Donald Higgins
- e. Name of Project: Hydrokinetic Floating Generator
- f. Location: The proposed Hydrokinetic Floating Generator would be located on the Rocky River near the town of Concord, in Cabarrus County, North Carolina.
- g. Filed Pursuant to: Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b).
- h. Applicant Contact: Donald Higgins; 3721 Mill Bridge Rd, Concord, NC 28025; telephone: (704) 420-0477; e-mail: dihjcm@msn.com
- i. FERC Contact: Jennifer Polardino, (202) 502-6437, or Jennifer.Polarдино@ferc.gov
- j. Deadline for filing comments, protests, and motions to intervene is: **May 6, 2022**

The Commission strongly encourages electronic filing. Please file comments, protests, and motions to intervene using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number

DI22-1-000. Comments emailed to Commission staff are not considered part of the Commission record.

k. Description of Project: The proposed Hydrokinetic Floating Generator would consist of: (1) an anchored floating platform supported by two pontoons; (2) two partially immersed paddle wheels mounted on the platform; (3) a drive train consisting of a chain and sprockets, intermediate shaft, and a belt and pulleys; (4) a 12-volt, 400-watt generator running between 60 and 180 revolutions per minute; (5) a transmission line to a private residence; and (6) appurtenant facilities.

When a Declaration of Intention is filed with the Federal Energy Regulatory Commission, the Federal Power Act requires the Commission to investigate and determine if the project would affect the interests of interstate or foreign commerce. The Commission also determines whether or not the project: (1) would be located on a navigable waterway; (2) would occupy public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) would be located on a non-navigable stream over which Congress has Commerce Clause jurisdiction and would be constructed or enlarged after 1935.

l. Locations of the Application: This filing may be viewed on the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents: All filings must bear in all capital letters the title "COMMENTS", "PROTESTS", and "MOTIONS TO INTERVENE", as applicable, and the Docket Number of the particular application to which the filing refers. A copy of any Motion to Intervene must also be served upon each representative of the Applicant specified in the particular application.

p. Agency Comments: Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Dated: April 6, 2022.

**Kimberly D. Bose,**

*Secretary.*

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